

1 TUCKER ELLIS LLP
2 Howard A. Kroll - SBN 100981
3 howard.kroll@tuckerellis.com
4 Steven E. Lauridsen – SBN 246364
5 steven.lauridsen@tuckerellis.com
6 515 South Flower Street
7 Forty-Second Floor
8 Los Angeles, CA 90071-2223
9 Telephone: 213.430.3400
10 Facsimile: 213.430.3409

11 Attorneys for Plaintiff
12 CHRIS PRINCIPE

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11 CHRIS PRINCIPE,
12 Plaintiff,

13 v.

14 TIMOTHY GLEN CURRY A/K/A
15 TIMOTHY TAYSHUN,
16 Defendant.

17) Case No. 8:17-cv-00608 JLS (KESx)
18)
19) **STATEMENT OF NON-OPPOSITION**
20) **TO MOTION FOR PRELIMINARY**
21) **INJUNCTION ORDER AGAINST**
22) **HARASSMENT [27]**
23)
24) DATE: December 1, 2017
25) TIME: 2:30 p.m.
26) CTRM: 10A
27)
28) Hon. Josephine L. Staton

1 Plaintiff submits this statement of non-opposition regarding his Motion for
 2 Preliminary Injunction Order Against Harassment filed on October 20, 2017. Dkt. 27.
 3 The hearing on this matter is set for December 1, 2017. *Id.* Per Local Civil Rule 7-9,
 4 Defendant's opposition was to be filed not later than twenty-one days before the hearing
 5 date. Counting backwards twenty-one days from the hearing, the deadline in this instance
 6 would have been November 10, 2017.

7 However, pursuant to Rule 6(a)(6)(A) of the Federal Rules of Civil Procedure,
 8 November 10, 2017 is a legal holiday,¹ making Defendant's opposition to the motion due
 9 on the "next day" the Court is open. Fed. R. Civ. P. 6(a)(1)(C). However, in this instance,
 10 the "next day" is determined by continuing to count backward from the triggering event,
 11 which in this case is the hearing date. Fed. R. Civ. P. 6(a)(5). The "next day" when the
 12 opposition would have been due was therefore November 9, 2017. *See id.*

13 Defendant did not, however, file an opposition by this due date. As a result, the
 14 motion should be deemed conceded per Local Civil Rule 7-12, and Plaintiff therefore
 15 requests that the Court grant the motion.

16 DATED: November 10, 2017

17 Tucker Ellis LLP

18

19 By: /s/Steven E. Lauridsen

20 Howard A. Kroll
 21 Steven E. Lauridsen
 22 Attorneys for Plaintiff
 23 CHRIS PRINCIPE

24

25

26

27

28

¹ The Court is closed on November 10, 2017, in observance of Veterans Day, a legal
 holiday under the Federal Rules. *See* <http://www.cacd.uscourts.gov/news/veterans-day-holiday-4>